

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Glenn G. Clark and Brenda J. Clark,

Civil No. 08-5808 (RHK/JSM)

Plaintiffs,

ORDER

vs.

Federal Deposit Insurance Corporation, as
Receiver for First National Bank of Nevada,
First National Bank Holding Company, Design
Mortgage, All Metro Title, Michael Fiorito, a/k/a
Michael Fiori, Fortress Associates, and Mutual of
Omaha Bank,

Defendants.

Defendant Federal Deposit Insurance Corporation's Motion to Dismiss (Doc. No. 40) will be heard before the undersigned on January 7, 2009 at the same date and time for hearing Plaintiffs' Motion for a Temporary Restraining Order. In connection therewith, Defendant's memorandum in support of the Motion to Dismiss shall be served and filed no later than December 18, 2009; Plaintiffs' responsive memorandum shall be served and filed no later than December 30, 2009 and Defendants' Reply thereto shall be served and filed no later than January 4, 2010.

The brief with respect to Plaintiffs' Motion for Temporary Restraining Order shall be completed in accordance with this Court's Local Rules.

Dated: November 30, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge